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TTY USERS CALL VIA MD RELAY

June 4, 2012

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: WC Docket No. 11-42  
WC Docket No. 03-109  
CC Docket No. 96-45  
WC Docket No. 12-23

Dear Chairman Genachowski,

Earlier this year, I, along with other governors, wrote you to praise your leadership in the effort to reform the federal Lifeline program and to offer some constructive suggestions on particular reforms. We were extremely pleased to see the substance of the rulemaking and believe the steps taken by the FCC will modernize and strengthen Lifeline for years to come. As one of the many states making every effort to create jobs in our recovering economy, Maryland recognizes the value of a program such as Lifeline to its most economically disadvantaged residents.

Maryland appreciates the important reforms made by the FCC that will allow Lifeline to remain a viable and valuable program for its seniors, working families and those affected most by the recent recession.

However, we remain concerned about the implementation period for the requirement that applicants for Lifeline benefits provide documentation of their enrollment for qualifying assistance programs – a process called “full certification.” When the Commission reformed its high cost universal service program last year, it allowed state governments and service providers more than a year to adapt to changes in the program. However, the Commission now requires implementation of the full certification requirement only months following adoption of the new rules. This is insufficient time for states to provide access to Lifeline enrollment eligibility databases for carriers to implement these changes. As the Commission had acknowledged, availability of such state databases obviates the need for full certification.

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Some states already have such eligibility databases in place and available so that carriers are able to determine whether applicants qualify for Lifeline support. The State of Maryland, through its Office of Home Energy Programs (OHEP), maintains a list of Lifeline-eligible customers and provides this information to wireless-eligible telecommunications companies that request it. In addition, in response to the new Lifeline eligibility rules, the Public Service Commission of Maryland has issued an Order specifying such carriers' obligations under the new rules. This will enable Maryland to comply with changes to the FCC's revised Lifeline Program rules. However, many other states do not yet have such lists or databases available. Requiring these states to implement such a task within the relatively short time period required would be administratively burdensome and cost-prohibitive, particularly at a time when states are struggling to balance their budgets.

Giving states at least a full year to develop eligibility databases for Lifeline subscribers, work with service providers to make the databases available, and educate the public will lead to greater efficiencies in the overall program. Moreover, under the revised Lifeline program, the FCC intends to implement a national eligibility database not later than the end of 2013. Expediting the creation of that national database would eliminate the need for interim state solutions that may prove costly to states and confusing to carriers and eligible subscribers.

Again, we appreciate your leadership on the reform of Lifeline and the expansion of mobile and broadband access to our lowest income residents. Please consider revising your rulemaking slightly to accommodate our work with Lifeline carriers in the states and expediting the implementation of the national eligibility database. With some additional time, we can ensure that Lifeline is accessible to those who need it most and free from waste, fraud and abuse.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl K. Ray", written in a cursive style.

Governor

cc: The Honorable Mignon L. Clyburn  
The Honorable Robert McDowell  
The Honorable Ajit Pai  
The Honorable Jessica Rosenworcel  
The Maryland Congressional Delegation